

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MULTIBANK 2009-1, et al.,

2:10-CV-1084 JCM (GWF)

Plaintiffs,

V.

STEPHEN B. AIZENBERG, et al.,

## Defendants.

## ORDER

15 Presently before the court is plaintiff's motion to amend and supplement complaint. (Doc.  
16 #31). To date, the defendants have not responded.

17       Federal Rule of Civil Procedure 15(a) provides that leave to amend “shall be freely given  
18 when justice so requires.” The local rules of federal practice in the District of Nevada qualify this  
19 rule and require that a plaintiff submit a proposed, amended complaint along with the motion to  
20 amend. LR 15-1(a).

21 Plaintiff has complied with the local rule by attaching a proposed, amended complaint (doc.  
22 #31, ex. 1) and has represented to the court that “[e]ach of defendants’ counsel had agreed in  
23 principle to permit the amendment to the complaint . . . However, the attorney for SBA  
24 Development, Inc., filed a Motion to Withdraw As Counsel of Record on March 21, 2011 (doc. #31)  
25 citing a lack of communication with the client, necessitating this motion in lieu of a stipulation.”  
26 (Doc. #31 at 3:8–12). On April 14, 2011, the court allowed SBA’s attorney to withdraw; however,  
27 no objection to the motion to amend was filed in the interim.

1        Accordingly, pursuant to the liberal standard allowing leave to amend when justice so  
2 requires,

3        IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion to  
4 amend and supplement complaint (doc. #31) is GRANTED.

5        IT IS FURTHER ORDERED that the plaintiff shall file and serve his amended complaint  
6 forthwith.

7        DATED April 27, 2011.

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10      **UNITED STATES DISTRICT JUDGE**

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